

IN THE CLAIMS

Please amend the claims as follows:

Claims 1-22 (Canceled).

Claim 23 (Currently Amended): A payment system for controlling the continued use of a software program by a user, comprising:

~~a terminal configured to access software from a computer readable storage communicatively linked thereto, the software providing an interface offering continued utilization of the software in exchange for payment from the user, the interface providing at least an identity of the software owner, offer parameters and the digital signature of the owner for at least part of the offer, and configured to generate a first message;~~

a terminal configured to access software stored on a computer readable storage linked thereto, and including control means for analyzing conditions based on previous use of the software for determining if a payment relating to the software is required for continued use, and configured to generate and transmit a first message, which is an offer message, containing at least an identity of the software owner, offer parameters and a digital signature of the software owner for at least part of the offer parameters;

payment means module operably linked to the terminal and configured to receive the first message, display the first message, receive ~~[[a]]~~ an ~~potential~~ acceptance of the software user, compose a second message requesting payment which includes at least the identity of the user and of the software owner together with proof of the user acceptance, and configured to transmit the second message; and

~~[[a]]~~ message and payment processing ~~server~~ system configured to receive the second message, verify ~~the existence of~~ the proof of user acceptance, record the payment request with at least the identity of the user and of the software owner and the amount to be paid,

credit the owner with the amount to be paid, configured to compose a third message which serves as a payment settlement message, the third message containing at least the identity of the message and payment processing ~~server~~ system and a digital signature for proof of payment; and ~~to transmitting~~ transmit the third message therefrom,

wherein the payment module is configured to receive the third message and to ~~[[for]]~~ transmission transmit to the control means ~~interface~~ of the terminal, the control means verifying to verify the digital signature for proof of payment relative to the offer parameters of the first message and to authorize authorizing use of the software program upon verification.

Claim 24 (Currently Amended): The system in accordance with claim 23, whereby the digital signature of the owner of at least part of the offer, and the digital signature for proof of payment are both public key signatures with certification trees, ~~whereby~~ so that an authority defines the root of the certification tree containing the system's different participants, notably ~~[[the]]~~ a software owner and the message and payment processing server, and ~~whereby~~ one or more certificates are attached to the first and third messages for signature checking.

Claim 25 (Currently Amended): The system in accordance with claim 23, whereby the message and payment processing ~~server~~ system further comprises:

a remote payment server linked to the payment ~~means~~ module by a telecommunications network, and whereby said remote payment server receives and processes the second message and composes and sends the third message; the remote payment server calculates ~~[[the]]~~ a total consumption of each user for all software owners in

order to impose payment by said user and causes the sums owned to each software owner to be transferred by all of the users.

Claim 26 (Currently Amended): The system in accordance with claim 23, whereby the message and payment processing ~~server~~ system further comprises:

secure means containing at least the identity of the user; said means are additionally able to receive the second message, check the proof of the user acceptance, record the payment request and compose the third message, payment settlement message, transfer the third message, and also includes a remote payment server able to credit the software owner.

Claim 27 (Currently Amended): The system in accordance with claim 26, whereby the secure means include a smart card reader with a smart card containing the user's identity, and whereby the reader and card are able to receive the second message, check the proof of the user acceptance, record the payment request and compose the third message, ~~payment settlement, with the proof of payment.~~

Claim 28 (Previously Presented): The system in accordance with claim 27, whereby the card is of a prepay type and contains a balance and whereby the card is able to debit the balance with the request amount at each payment request.

Claim 29 (Currently Amended): The system in accordance with claim 28, whereby the prepay card message ~~is able to~~ insert into the third message proof that the requested amount has been debited from the card.

Claim 30 (Currently Amended): The system in accordance with claim 28, whereby the prepaid card is able to ~~build~~ update a file containing settled requests and corresponding amounts, and whereby ~~[[a]]~~ the payment settlement message is ~~only sent with a corresponding digital signature~~ once this file has been updated.

Claim 31 (Previously Presented): The system in accordance with claim 30, whereby ~~the prepaid card is able to transfer the prepaid card can be topped up, and whereby~~ the file is ~~first transferred~~ to the remote payment server ~~during the topping-up process~~, for transferring funds to the software owners.

Claim 32 (Previously Presented): The system in accordance with claim 28, whereby the prepaid card is of the electronic wallet type.

Claim 33 (Currently Amended): The system in accordance with claim 27, whereby the card is of ~~[[the]]~~ a post-pay type.

Claim 34 (Currently Amended): The system in accordance with claim 33, whereby the post-pay card ~~builds~~ update a file containing settled requests and corresponding amounts, and whereby the payment settlement message is ~~only sent with its digital signature~~ once this file has been updated.

Claim 35 (Currently Amended): A system in accordance with claim 34, whereby the file is transferred to the remote payment server ~~[[for]]~~ transferring funds to the software owners.

Claim 36 (Currently Amended): A payment method for controlling continued use of a software program by a user, comprising:

analyzing conditions based on previous use of the software for determining if a payment relating to the software is required for continued use;

~~generating a payment request of the software in the form of an interface during processing of the software at a terminal;~~

~~offering use of the software via~~ a first message, which is an offer message, ~~of the interface, the first message;~~ containing at least identity of the software owner, offer parameters and the owner's digital signature for at least part of the offer, and transmission of the said first message to a payment module of the terminal;

reception and display by the payment module of said first message;

reception by the payment module of an ~~the~~ potential acceptance of the user; and,

composition by the payment module of a second message requesting payment, following the user acceptance, containing at least identity of the user and of the software owner together with proof that the user accepts the offer;

transmission by said module of said second message to ~~processing means of~~ message and payment processing system;

reception by the payment module of a third message, which is a payment settlement message, from the processing means of message and payment processing system; the third message containing at least the identity of the ~~processing means of~~ message and payment and a digital signature constituting proof of payment;

transmission by the payment module of said third message to ~~the software interface~~ control means of the terminal;

verifying by the ~~software interface~~ control means of the digital signature constituting proof of payment against the offer parameters contained in the first message and

authorization of continuation of the use of the software program upon correct verification.

Claim 37 (Currently Amended): A terminal for enabling control of the continued use of a software program the terminal comprises:

control ~~transmission~~ means for ~~transmitting a~~ analyzing conditions based on previous use of the software to determine if payment is required for continued use ~~payment request~~ ~~from the software to an interface thereof during processing of the software;~~

~~processing means for composing by the software interface and for generating~~ a first message offering use of the software; said first message containing at least identity of the software owner, offer parameters and the digital signature of the owner for at least part of the offer,

~~transmission means~~ for transmitting the first message to ~~[[the]]~~ a payment module of the terminal;

the payment module comprising:

receiving means for receiving the ~~[[of]]~~ said first message ~~by the payment module,~~

display means for displaying the first message;

reception means ~~of the payment module~~ for receiving the ~~potential~~ acceptance of the user;

constituting means of the payment module for constituting a second message requesting payment, containing at least the identity of ~~[[the]]~~ user and of the software owners together with proof that the user accepts the offer;

transmission means for sending said second message from payment module to ~~processing means of message and payment~~ processing means;

reception means of the payment module for receiving a third message, which is a payment settlement message, from the ~~processing means~~ of message and payment processing system; the third message containing at least the identity of the ~~processing means~~ of message and payment processing system and a digital signature constituting proof of payment;

transmission means for resending by the payment module said third message to the ~~software interface~~ control means;

verifying means for verifying by the ~~software interface~~ control means digital signature constituting proof of payment against the offer parameters contained in the first message;

authorization means for authorizing continuation of the use of the software program in case of verification.